

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FILED  
09 APR 14 AM 10:48  
CLERK OF COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

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UNITED STATES OF AMERICA

Plaintiff

-VS-

LAMONT J. OLIVER

Defendant  
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CASE NO. 1:08CR0492-01

: ORDER ACCEPTING PLEA  
: AGREEMENT AND JUDGMENT AND  
: NOTICE OF HEARING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing and plea agreement of Lamont J. Oliver which was referred to the Magistrate Judge with the consent of the parties.

On 2 December 2008, the government filed a one-count indictment against Lamont J. Oliver for attempt to possess with the intent to distribute cocaine in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A) and § 846. On 8 December 2008, a hearing was held in which Lamont J. Oliver entered a plea of not guilty before Magistrate Judge McHargh. On 31 March 2009, Magistrate McHargh received Lamont J. Oliver's plea of guilty and issued a Report and

Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Lamont J. Oliver is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Lamont J. Oliver is adjudged guilty of Count 1 in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A) and § 846.

Sentencing will be:

**16 June 2008 at 11:30 a.m.**

**Courtroom 19-A  
19th Floor, United States District Court  
801 West Superior Avenue  
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

4/14/09

  
UNITED STATES DISTRICT JUDGE